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09/459,342	12/13/1999	SHIGETOSHI SAMESHIMA	566.36161CX1	1055

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EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/459,342

Applicant(s)  
SAMESHIMA et al

Examiner  
First Last

Art Unit  
1234



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Dec 19, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11, 14, 17-20, 22, 23, 27, and 29-38 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11, 14, 17-20, 22, 23, 27, and 29-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Dec 13, 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other:

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### **DETAILED ACTION**

1. Claims 11, 14, 17-20, 22, 23, 27, and 29-38 are presented for examination.
2. Claims 11, 20, 29, 31, and 33-38 have been amended in the communication filed on 05/14/01, entered as Amendment D, paper no. 11.
3. Applicants' Extension of Time filed 06/12/01 has been entered as paper no. 12.
4. Applicants' Notice of Appeal filed 06/12/01 has been entered as paper no. 13.
5. Applicants' Letter Regarding Notice of Appeal filed 12/19/01 has been entered as paper no. 14.
6. Applicants' Interview Summary on 01/15/02 has been entered as paper no. 15.
7. Applicants' request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is hereby withdrawn.

### ***Specification***

8. The Specification (Description of Preferred Embodiments) is objected to because in fig. 1, the description of step 124 is missing, fig. 8C, step 667 is not described, fig. 9, step 1611 is not described, fig. 11, step 843 is not described, fig. 12A, (Lot No.) 916-919 are not mentioned in the Description of Preferred Embodiments, fig. 13, step 1012 is not described, fig. 16, steps 1304 & 1306 are not described, and fig. 18, steps 1545 & 1546 are not described in the Description of Preferred Embodiments. Correction is required. See MPEP § 608.01(b).

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***Drawings***

9. The drawings are objected to because Fig. 8A, step 601 is labeled WAIT FOR DAT. Is fig. 8A, step 601 supposed to read WAIT FOR DATA? Fig. 8C, step 67 is missing in the drawing figure, fig. 9, step 611 is missing in the drawing figure, fig. 13, step 1026 is missing in the drawing figure, fig. 16, steps 1318 & 1321 are missing in the drawing figure, . Correction is required.

***Claim Objections***

10. Claim 22 is objected to because of the following informalities: Claim 22, line 5, page 5, Amendment C, paper no. 8, filed 12/13/00 recites “associated with said one of plural items information to be transmitted” would be better recited “associated with said one of plural items of information to be transmitted”. Claim 27, line 4, page 5, Amendment C, paper no. 8, recites “is information indicative of a current” would be better recited “are information indicative of a current” and line 7, page 5, recites “... said one of said plural items” would be better recited “... one of plural items.” Claim 33, Amendment D, filed 05/14/01, paper no. 11, page 5, line 13, recites “transmitted, said computer program when executed causes” would be better recited “transmitted, wherein said, computer program when executed causes said”. Claim 38, Amendment D, filed 05/14/01, paper no. 11, page 8, line 5 recites “... said event elapses of predetermined time” would be better recited “... said event elapses at predetermined time”.  
Appropriate correction is required.

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*Claim Rejections - 35 USC § 103*

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 11, 14, 17-20, 22, 23, 27, and 29-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,953,046) Pocock.

With respect to claims 11, 20, 29, and 31, Pocock teaches, an information transmission device for transmitting plural items of information via transmission media to a plurality of information destination devices (col. 1, lines 21-39) the information transmission device comprising: storage means for storing the plural items of information and plural sets of data for the plural items of information, each one of the plural sets of data including an event indicative of a change of situation in or related to the plural items of information, identification data for identifying information to be transmitted in response to the event, and transmission destination data indicative of one of the plurality of information destination devices to which a corresponding one of the plural items of information is to be transmitted (col. 1, lines 39-62, col. 2, lines 7-29, col. 3, lines 2-17, and col. 4, lines 40-51) and transmission means for transmitting via the transmission media one of the plural items of information identified by the identification data corresponding to the event detected by the detection means to one of the plurality of information destination devices is designated by the transmission destination data corresponding

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to the event (col. 5, lines 57-67 and col. 6, lines 1-62). Pocock did not explicitly teach a detection means for detecting that the event has occurred but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a detection means for detecting that the event has occurred and in view of Pocock's teaching of multiplexed channel for transmitting and a video image at the user's end that corresponds to a full motion video and to modify in Pocock because such a modification would allow Pocock to have an efficient system for providing the transmission and reception of presentations and the ability to know whether the presentations have been transmitted.

With respect to claim 20, Pocock teaches, identification data for identifying information to be transmitted in response to the event, and the destination data indicative of one of the plurality of information destination devices to which a corresponding one of the plural items of information is to be transmitted (col. 1, lines 21-62, col. 2, lines 7-39, col. 3, lines 7-17 and col. 4, lines 40-51, col. 5, lines 30-67, and col. 6, lines 1-35 and lines 46-62).

With respect to claim 14, this dependent claim is rejected for the similar rationale given for claim 29

With respect to claim 17, the event is a transmission of data from at least one of the plurality of information destination devices to the information transmission device (col. 4, lines 15-39).

With respect to claim 18, the plural items of information is information indicative of a current situation of a facility which contains plural parts and performs a predetermined process

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and wherein one of the plurality of information destination devices to which one of the plural items of information is transmitted is a controller which uses one of the plural items of information transmitted to control the predetermined process of the facility (col. 4, lines 40-67 and col. 5, lines 1-7).

With respect to claim 19, means for deciding whether the event detected relates to the information handled by at least one information processing device (col. 6, lines 8-24) and the transmission means, when the event is judged as relating to the information, transmitting the information identified by the identified data (col. 6, lines 25-34).

With respect to claim 22, the event is a transmission of information via the transmission media from at least one of the plurality of information destination devices to the information transmission device and wherein the transmitting step includes a step of transmitting information associated with one of the plural items of information to be transmitted (col. 1, lines 27-42, col. 7, lines 50-61, and col. 9, lines 4-17).

With respect to claim 23, the event is a modification of at least one of the plural items of information (col. 12, lines 15-38).

With respect to claim 27, the plural items of information are information indicative of a current situation of a facility which contains plural parts and performs a predetermined process and the transmission step includes a step of transmitting one of the plural items of information to be transmitted (col. 6, lines 13-45 and col. 9, lines 49-67). Pocock did not teach a controller

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which controls the predetermined process of the facility, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a controller which controls the predetermined process of the facility and to modify in Pocock because such a modification would allow the Pocock's system transmit a video signal over a suitable transmission medium such as a CATV system.

With respect to claim 30, the event elapses at predetermined time intervals (col. 4, lines 26-39 and col. 9, lines 18-36).

With respect to claim 31, this independent claim is rejected for the similar rationale given for claims 20 and 29.

With respect to claim 32, this dependent claim is rejected or the similar rationale given for claims 29 and 31.

With respect to claim 33, Pocock did not teach a computer program, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a computer program and to modify in Pocock because such a modification would allow Pocock to have a set of instructions in a computer language intended to be executed on a computer to perform the steps of claim 33. A computer program is well known in the art.

This claim is also rejected for the similar rational given for claims 11, 20, 29, and 31.

With respect to claim 34, this dependent claim is rejected for the similar rationale given for claim 31.



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With respect to claim 35, this independent claim is rejected for the similar rationale given for claims 11, 20, 29, 31 and 33.

With respect to claim 36, this dependent is rejected for the similar rationale given for claim 31.

With respect to claim 37, this dependent is rejected for the similar rationale given for claim 27.

With respect to claim 38, this dependent claim is rejected for the similar rationale given for claim 30.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hiraswaa et al (US 5,655,079) teaches a data processing and transmission system.

Grube et al (5,483,658) teaches a communications system and a processing device.

### ***Inquires***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is (703)308-7064. The examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on (703)305-4393.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703)746-7238 or (703)746-7239, (for formal communications intended  
for entry).


**Or:**


(703)746-7240 (for informal or draft communications, please label

**"PROPOSED" or "DRAFT").**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, Virginia., Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group Receptionist whose telephone number is (703)305-3900.

  
E. Colbert  
March 8, 2002

  
HOSAIN T. ALAM  
PRIMARY EXAMINER